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I hereby certify that this correspondence, and the documents referred to as enclosed, is/are being deposited, pursuant to 37 C.F.R. §1.8, with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 11th of September, 2007.

By Richard R. Muccino 11 Sept 2007  
Richard R. Muccino date  
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Patent Application  
CSI 1-007CIPCon1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application  
Alain Martin

Group: 1614

Serial No: 10/747,963

Filed: 30 December 2003

Examiner: Alicia R. Hughes

For: Method for Treating Pulmonary Disease States in Mammals by Altering Indigenous *in vivo levels* of Nitric Oxide

**PRELIMINARY AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.115**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Preliminary Amendment and Response is submitted concurrently with applicant's Request for Continued Examination in reply to the Final Office Action dated 5 July 2007 in which claims 30-51 were rejected in the above-identified patent application. A Response to the 5 July 2007 Office Action is due 5 October 2007. Accordingly, this Amendment and Response is timely filed.

Applicant requests that the Examiner consider the following Amendment and Response, withdraw the pending rejections and pass the above-identified application to issue. Kindly amend the claims as follows: